

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11-cv-00522-GCM

JEFFREY LEMARE NASH,

Plaintiff,

v.

FEDEX FREIGHT EAST, INC.

Defendant.

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ORDER

THIS MATTER is before the Court on Defendant's Motion to Compel. The deadline for Plaintiff to file a responsive brief was June 1, 2012. Plaintiff failed to file a responsive brief and thus, Defendant's Motion to Compel is ripe for determination.

Defendant requests that Plaintiff provide Defendant with information responsive to Defendant's Interrogatory No. 4, as well as documents responsive to Defendant's Requests for Production of Documents Nos. 1 and 3-9. Defendant also seeks expenses incurred in preparing the instant Motion. For the reasons set forth in Defendant's brief and upon the Court's review of Plaintiff's responses to Defendant's discovery requests, Defendant's Motion to Compel is **GRANTED IN PART AND DENIED IN PART.**

IT IS, THEREFORE, ORDERED that:

1. Plaintiff shall provide Defendant with Initial Disclosures as required by Fed. R. Civ. P. 26(a)(1) by **June 22, 2012**;
2. Plaintiff shall provide Defendant with full and complete responses to Interrogatory No. 4 and Document Requests No. 1 and 3-9 by **June 22, 2012**; and

3. Defendant's request for all reasonable expenses incurred in preparing this Motion is **DENIED**. The Court finds that an award of expenses at this juncture would be unjust because Plaintiff is pursuing this matter *pro se* and Plaintiff is unlikely to be able to pay the undisclosed amount of sanctions requested.

Plaintiff is advised that his *pro se* status does not excuse his obligation to abide by the discovery rules and orders of this Court. *See Robinson v. Yellow Freight Sys.*, 132 F.R.D. 424 (W.D.N.C. 1990); *see also Rivers v. Time Warner Cable, Inc.*, 2012 U.S. Dist. LEXIS 25025 (W.D.N.C. 2012) (granting defendant's motion to compel and requiring *pro se* plaintiff to provide responses to defendant's discovery requests). Plaintiff's Complaint may be subject to dismissal with prejudice if he fails to abide by the terms of this Order.

IT IS SO ORDERED.

Signed: June 6, 2012

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

